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UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

PRESIDIO COMPONENTS, INC., Plaintiff, v. AMERICAN TECHNICAL CERAMICS CORP., Defendant.	Case No. 3:08-cv-00335-IEG-NLS **ATC'S NOTICE OF MOTION AND MOTION FOR SUMMARY JUDGMENT OF INDEFINITENESS**
AMERICAN TECHNICAL CERAMICS CORP., Counter-Claimant, v. PRESIDIO COMPONENTS, INC., Counter-Defendant.	**ORAL ARGUMENT REQUESTED** **Hearing Date: July 25, 2008** **Hearing Time: 10:00 am** **Courtroom 1**

PLEASE TAKE NOTICE that Defendant, American Technical Ceramics Corp. ("ATC"), respectfully moves this Court for summary judgment holding that all of the asserted claims 1-5, 16, 18 and 19 ("asserted claims") of U.S. Patent No. 6,816,356 are indefinite under 35 U.S.C. § 112, second paragraph. The asserted claims are insolubly ambiguous and not susceptible to any reasonable construction, and are, therefore, invalid.

This motion is based on this Notice Of Motion and ATC's Memorandum Of Points And Authorities In Support Of This Motion, all exhibits submitted therewith, ATC's Statement Of Undisputed Material Facts In Support Of This Motion, and any and all other matters presented to the Court including at a hearing which ATC is requesting on this motion.

Dated: June 11, 2008

Respectfully submitted,

MINTZ, LEVIN, COHN, FERRIS,
GLOVSKY AND POPEO, P.C.

By: /s/ Timur E. Slonim

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CERTIFICATE OF SERVICE

I, the undersigned, certify and declare that I am over the age of 18 years, employed in the County of New York, State of New York, and am not a party to the above-entitled action.

On June 11, 2008, I caused a copy of the following document(s):

ATC'S NOTICE OF MOTION AND MOTION FOR SUMMARY JUDGMENT OF INDEFINITENESS,

ATC'S MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF ITS MOTION FOR SUMMARY JUDGMENT OF INDEFINITENESS, with accompanying exhibits, and

ATC'S STATEMENT OF UNDISPUTED MATERIAL FACTS IN SUPPORT OF ITS MOTION FOR SUMMARY JUDGMENT OF INDEFINITENESS

to be served by electronically filing the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Miles D. Grant, Esq. **Grant & Zeko, APC** 1331 India Street San Diego, CA 92101	Attorneys for Plaintiff PRESIDIO COMPONENTS, INC. Email: mgrant@grantandzeko.com
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Executed on June 11, 2008, in New York, New York.

/s/ Timur E. Slonim
Timur E. Slonim